

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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EVERETT HADIX, *et al.*,

Plaintiffs,

v.

PATRICIA L. CARUSO, *et al.*,

Defendants.

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Case No. 4:92-CV-110

Hon. Richard Alan Enslen

**ORDER**

Claude T. Hoffman, a prisoner housed at the Mid-Michigan Correctional Facility, has filed a *pro se* motion requesting his intervention in this suit, plus modification of the *Hadix* Consent Decree to include all Michigan Department of Corrections' facilities and injunctive relief as to such facilities. Although the Court understands that there are real concerns as to the quality of prison health care state-wide, the present motion will be denied for several reasons. First, the Consent Decree in *Hadix* does not provide jurisdiction over *non-Hadix* facilities and the letter motion itself does not justify modification of the Consent Decree under Federal Rule of Civil Procedure 60(b). Second, the applicant does not meet the requirements of Rule 24 for intervention, including timeliness. Third, the movant, a non-attorney, is not well equipped to adequately represent the supposed class as required by Rule 23.

**THEREFORE, IT IS HEREBY ORDERED** that Claude T. Hoffman's motion to modify *Hadix* Consent Decree and for other relief (Dkt. No. 2239) is **DENIED**.

DATED in Kalamazoo, MI:  
December 15, 2006

/s/ Richard Alan Enslen  
RICHARD ALAN ENSLEN  
SENIOR UNITED STATES DISTRICT JUDGE